

Application No. 10/779,674
Amendment dated July 16, 2008
Reply to Office Action of April 16, 2008

Docket No.: 0941-0918P

REMARKS

Responsive to the Office Action mailed on April 16, 2008 in the above-referenced application, Applicant respectfully amends the above-identified application in the manner identified above and requests that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1-3, 6, 7, 9-13, 17, 18 and 20-24 are pending in this application. Claims 1, 12, 23 and 24 are independent. By this Amendment claim 4 is canceled, and claims 1, 7, 12, 23 and 24 are amended. No new matter is involved.

Reconsideration of the Application, as amended, is respectfully requested.

Rejections under 35 U.S.C. 102 and 103

Claims 1-3, 6 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (JP 8-205450).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (JP 8-205450), in view of Emberson (US 4099274). This rejection is respectfully traversed.

Claims 7, 12, 13, 17, 18, 20, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (JP 8-205450), in view of Medard (US 4936726). This rejection is respectfully traversed.

Claims 10 and 11 are rejected under 35 US.C. 103(a) as being unpatentable over Watanabe et al. (JP 8-205450), in view of Chung (US 5997265). This rejection is respectfully traversed.

Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al. (JP 8-205450), in view of Medard and further in view of Chung (US 5997265). This rejection is respectfully traversed.

Claim 1 recites a combination of features including a fastening structure passing through the first section via the through hole, and having one end accommodated by the recess and a part disposed in the gap and having a profile corresponding to that of the gap

Claim 12 recites a combination of features, including a fastening structure passing through the first section via the through hole and having a part with a profile substantially equal to that of the gap for preventing the part from sliding in the gap.

Claim 23 recites a combination of features, including a fastening structure having a hook passing through the hole to connect the gap or joining the gap from outside of the fan housing so as to fix the fan assembly to an external system frame.

Claim 24 recites a combination of features, including a fastening structure passing through the first section via the through hole, and having one end accommodated by the recess.

Independent claims 1, 12, 23 and 24 patently define over the cited art for at least the reason that the cited art fails to disclose the features emphasized above.

In Watanabe, a housing 16 with a through hole 25 is disclosed. A bolt 21 passes through the gap 35 to be connected with the nut 22 in the gap 35. However, a recess is not formed in the housing 16 to accommodate an end of the bolt 21. In other words, Watanabe fails to disclose that a fastening structure passes through the first section via the through hole, and has one end accommodated by the recess (of the second section) and a part disposed in the gap and having a profile corresponding to that of the gap, as recited in independent claims 1 and 24.

Moreover, although Watanabe discloses that the nut 22 connects with the bolt 21, the nut 22 is still movable within the gap 35, causing instability. Thus, Watanabe fails to disclose that a fastening structure passes through the first section via the through hole and has a part with a profile substantially equal to that of the gap for preventing the part from sliding in the gap, as recited in independent claim 12.

Additionally, the structure of Watanabe does not comprise a fastening structure having a hook. In other words, Watanabe fails to disclose that a fastening structure having a hook passing through the hole to connect the gap or joining the gap from outside of the fan housing so as to fix the fan assembly to an external system frame, as recited in independent claim 23.

In Medard, the product 27 and the tube 15 provides enough clearance to align the holes of the sheet metal plates 22, 23 and 24, allowing the tube 15 to pass therethrough. Therefore, the tube 15 does not comprise the same functionality as the fastening structure of the present

application. That is, there is no proper motivation to combine Watanabe and Medard to arrive at, suggest, or otherwise render obvious the claimed invention.

Additionally, Emberson and Chung also fail to disclose the above deficiencies, as recited in independent claims 1, 12, 23 and 24.

Moreover, because dependent claims 2, 3, 6, 7 and 9-11 depend from claim 1, and claims 13, 17, 18 and 20-22 depend from claim 12, the prior art applied by the Examiner fails to teach or suggest the apparatus of dependent claims 2, 3, 6, 7, 9-11, 13, 17, 18 and 20-22 insofar these dependant claims of the present application include the subject matter of the independent claim from which each depends, are also patentable over the prior art of record.

Accordingly, reconsideration and withdrawal of the 35 U.S.C. 102 and 103 rejections of claims 1-4, 6, 7, 9-13, 17, 18 and 20-24 are respectfully requested.

Conclusion

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-3, 6, 7, 9-13, 17, 18 and 20-24 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert J. Webster, Reg. No. 46,472 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

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Respectfully submitted,

By

Paul C. Lewis

Registration No.: 43,368

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant